

Ronald D. Green, NV Bar No.: 7360
 Theresa M. Haar, NV Bar No.: 12158
 Randazza Legal Group
 3625 S. Town Center Drive, Suite 150
 Las Vegas, NV 89135
 Tel: 702-420-2001
 Fax: 702-420-2003
 ecf@randazza.com

Attorneys for Plaintiffs
 MARC J. RANDAZZA, JENNIFER RANDAZZA, and NATALIA RANDAZZA

**UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA**

MARC J. RANDAZZA, an individual, JENNIFER
 RANDAZZA, an individual, and NATALIA
 RANDAZZA, a minor,

Plaintiffs,

vs.

CRYSTAL COX, an individual, and ELIOT
 BERNSTEIN, an individual,

Defendants.

Case No. 2:12-cv-2040-JAD-PAL

**PLAINTIFFS' NOTICE OF
 DEFENDANT CRYSTAL COX'S
 NON-OPPOSITION TO PLAINTIFFS'
 MOTION TO STRIKE (ECF 237)**

Plaintiffs hereby submit this Notice of Non-Opposition with respect to their pending Motion to Strike Defendant Crystal Cox's Answer and Motion for Case Terminating Sanctions. ECF 237.

It is well established that a party's failure to timely oppose a motion constitutes the non-moving party's consent to the granting of the motion. *U.S. v. Warren*, 601 F.2d 471, 474 (9th Cir. 1979). Furthermore, under the Local Rules, failure to oppose a motion constitutes concession to the pending motion's desired relief. LR 7-2(d). On 6 November 2014, Plaintiffs filed their Motion to Strike Defendant Crystal Cox's Answer and Motion for Case Terminating Sanctions. ECF 237. Cox was served via U.S. Priority Mail. Local Rule 7-2(b) allows for 14 days to file a responsive

1 briefing. Cox had until 20 November 2014 to file her opposition. Even considering an additional
2 three days allowable as an extension for mailing, Cox's response would have been due Monday 24
3 November 2014. That day has come and gone, and Cox has again failed to participate in this matter.

4 Plaintiffs filed the Motion to Strike, seeking case terminating sanctions, because Cox has
5 routinely failed to follow the Court's rules and orders, and has refused to participate in this matter in
6 any meaningful way. Cox has previously disappeared from this litigation only to reappear by filing
7 reams of irrelevant pleadings. This Court has previously determined that "Cox's voluminous filing,
8 failure to comply with the Court's electronic filing procedures, and failure to comply with the Local
9 Rules of Practice and Federal Rules of Civil Procedure have all impeded the administration of justice
10 in this case." ECF 144 at 3. By failing to respond to Plaintiffs' Motion to Strike, Cox is yet again
11 impeding the administration of justice.

12 Based on the foregoing, Plaintiffs respectfully request that this Court strike Cox's Answer, in
13 its entirety, and enter a default against Cox for failure to participate.

14
15 Dated: November 25, 2014

Respectfully submitted,

16
17 /s/Theresa M. Haar
18 Ronald D. Green, NV Bar #7360
19 Theresa M. Haar, NV Bar #12158
20 Randazza Legal Group
21 3625 S. Town Center Drive, Suite 150
22 Las Vegas, NV 89135
23 Tel: 702-420-2001
24 Fax: 702-420-2003
25 ecf@randazza.com
26
27

CERTIFICATE OF SERVICE

Pursuant to the Federal Rules of Civil Procedure 5(b), I hereby certify that the foregoing document was served to Defendant Crystal L. Cox at:

P.O. Box 2027
Port Townsend, WA 98368

Dated: November 25, 2014

Signed,



Employee
ecf@randazza.com
Randazza Legal Group
3625 S. Town Center Drive, Suite 150
Las Vegas, NV 89118
Tel: (702) 420-2001
Fax: (702) 420-2003